

REMARKS

This application has been carefully reviewed in light of the final Office Action dated December 8, 2008. Claims 1 to 4, 6, and 7 are in the application, with Claim 1 being independent. Reconsideration and further examination are respectfully requested.

Claims 1, 3, 5, and 6 were rejected under 35 U.S.C. § 103(a) over U.S. Patent No. 5,530,264 (Kataoka) in view of Colloids and Surfaces B: Biointerfaces, vol. 19, 2000, pp. 257-261 (Inoue). Claim 2 was rejected under 35 U.S.C. § 103(a) over Kataoka and Inoue in view of U.S. Patent No. 4,731,156 (Montmarquet). Claim 4 was rejected under 35 U.S.C. § 103(a) over Kataoka and Inoue in view of Japan 2000-058892 (Tawada), and further in view of U.S. Patent No. 6,127,623 (Nakamura). Claim 7 was rejected under 35 U.S.C. § 103(a) over Kataoka and Inoue in view of U.S. Patent No. 6,534,703 (Dinwoodie). These rejections are respectfully traversed.

Claim 1 recites, *inter alia*, the front surface member comprises a fluoride polymer film having a light incidence surface subjected to a discharge treatment.

The Office Action concedes that Kataoka does not disclose the above-discussed feature. Yet, placing reliance on Inoue, the Office Action asserts that the invention would nevertheless have been obvious. Applicants respectfully disagree.

The Office Action states that it would have been obvious to apply Inoue's discharge treatment to Kataoka's fluorine-containing polymer resin layer to improve weatherability. However, Kataoka's resin layer is not disposed at the outermost surface of the module. Rather, Kataoka's resin layer is provided underneath a transparent surface protective layer. See col. 5, lines 18 to 21. There is not seen to be any teaching or suggestion to increase the weatherability of a layer not exposed to the weather.

The Office Action then asserts that it would have been obvious to place Kataoka's resin layer in direct contact with the weather on the light incidence side, because increased performance in wet or adverse conditions is a long felt need in the art of solar cell technology. However, since there is no teaching or suggestion to increase the weatherability of Kataoka's resin layer, as discussed above, it is not seen how moving the resin layer to be in direct contact with the weather would lead to increased performance in wet or adverse conditions.

According to another feature of the invention as recited by Claim 1, the light incidence surface of the fluoride polymer film has a contact angle with water of 75° to 95°. By virtue of this feature, it is possible to develop stain resistance without reducing the strength of the front surface member. See, for example, page 10, line 24 to page 11, line 5 of the instant specification.

None of Kataoka, Inoue, Montmarquet, Tawada, Nakamura, and Dinwoodie, even in the proposed combinations, assuming, *arguendo*, that such could be combined, is seen to disclose or suggest at least the foregoing feature.

Kataoka describes a surface contact angle of 70° or above. However, this refers to Kataoka's transparent surface protective layer and not to his fluorine-containing polymer resin film. See col. 9, lines 21 to 28.

With respect to Inoue, this document is merely seen to disclose contact angles resulting in ultra-hydrophobicity properties (i.e., contact angles exceeding 150°). See abstract and pages 259-260, section 3.3. For example, as shown in Figure 4 of Inoue, ion-bombardment is used to increase the contact angle of pristine PTFE from 102.5° to 170°.

Montmarquet, Tawada, Nakamura, and Dinwoodie are not seen to remedy the foregoing deficiencies of Kataoka and Inoue.

The dependent claims are also submitted to be patentable because they set forth additional aspects of the present invention and are dependent from the independent claim discussed above. Therefore, separate and individual consideration of each dependent claim is respectfully requested.

The application is believed to be in condition for allowance, and a Notice of Allowance is respectfully requested.

No fees are believed due; however, should it be determined that additional fees are required, the Director is hereby authorized to charge such fees to Deposit Account 06-1205.

Applicants' undersigned attorney may be reached in our Costa Mesa, California office by telephone at (714) 540-8700. All correspondence should be directed to our address given below.

Respectfully submitted,

/Damond E. Vadnais/
Damond E. Vadnais
Attorney for Applicants
Registration No. 52,310

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3800
Facsimile: (212) 218-2200

FCIS_WS 2910775v1